

Panaji, 14th November, 1985 (Kartika 23, 1907)

SERIES I No. 33

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Notification

1/11/84-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution read with the Government of India, Ministry of External Affairs, New Delhi, Notification No. F.7(11)/62-Goa dated the 25th July, 1963, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules amending the Goa Government Ministerial and Stenographers services Recruitment Rules, 1966 issued under Notification dated 26th April, 1966 and published in the Government Gazette Series I, No. 4 dated 29th April, 1966, further amended by Notification No. OSD/RRVS/1-A/67 dated 25th April, 1968 published in Government Gazette, Series I, No. 7 dated 16th May, 1968, Notification number OSD/RRVS/1-B/66/Part II dated 2nd July, 1970 published in the Government Gazette Series I, No. 16, dated 16th July, 1970, Notification No. OSD/RRVS/1-B/66/Part II dated 21st December, 1971 published in the Official Gazette No. 40, Series I dated 30th December, 1971, Notification No. 1/1/74-PER(i) dated 15th March, 1983 and Corrigendum No. 1/1/74-PER(i) dated 19th March, 1983 published in the Official Gazette Series I, No. 52 dated 24th March, 1983 namely:—

1. *Short title and commencement:*— (i) These rules may be called the Goa Government, Ministerial and Stenographers Service Recruitment (First Amendment) Rules, 1985.

(ii) They shall come into force at once.

2. In the Schedule attached to the said Notification, against the post of Superintendent appearing at Serial No. 7 for the existing entry in column 11 substitute:

"Promotion: From the grades of Assistants, Senior Stenographers and Librarian in the Secretariat having five years of service in the respective grade in the ratio of the strength of the cadre of Assistants on one hand and the combined strength of the cadre of Senior Stenographers and Librarian in the Secretariat on the other.

Transfer/deputation: Suitable official holding equivalent post in the Central or any State Government (Deputation will normally be for a period of three years)."

By order and in the name of the Administrator of Goa, Daman and Diu.

R. I. Jai Prakash, Joint Secretary (Personnel).

Panaji, 31st October, 1985.

Power Supply and Welfare Department

Notification

7-8-85/Prov/PS&WD

Whereas certain draft rules which the Government proposes to make in exercise of the powers conferred by Article 15 of the Legislative Diploma No. 1984 dated 14-4-1960 under the title "Institute of Public Assistance (Providoria), (Admission and Discharge of Orphans, Non-Orphans to the Institution) Rules, 1985, were published in the Official Gazette, Series I, No. 24 dated 12th September, 1985 under Notification No. 7-8-85/Prov/PS&WD dated 4th September, 1985 of Power Supply and Welfare Department, Government of Goa, Daman and Diu, Secretariat, Panaji inviting objections and suggestions to the said draft rules;

And whereas the said Gazette was made available to the public on 12th September, 1985;

And whereas no objections and suggestions have been received from the public on the said draft rules;

Now, therefore, in exercise of the powers conferred by Article 15 of the Legislative Diploma No. 1984 dated 14-4-1960, the Administrator of Goa, Daman and Diu is pleased to make the following rules, namely:—

INSTITUTE OF PUBLIC ASSISTANCE

(Providoria da Assistencia Publica)

Panaji-Goa

Institute of Public Assistance, Goa, Daman and Diu Rules for Regulating the Admission and Discharge of Orphans, Non-Orphans to the Institutions run by Providoria

In exercise of the powers conferred by Article 15 of the Legislative Diploma No. 1984 dated 14-4-1960,

the Administrator of Goa, Daman and Diu is pleased to make the following rules namely:—

1. Short title and commencement.—(1) These rules may be called the “Institute of Public Assistance (Providoria), (Admission and Discharge of Orphans, Non-Orphans to the Institution) Rules, 1985.

(2) They shall come into force with effect from the date of this publication in the Official Gazette.

2. Object.—The object of these rules is to regulate admissions, discharge and to provide for the service and care of orphans, destitutes and deserving non-orphans admitted to the Institute of Providoria.

3. Applicability.—These rules will apply to all the orphans, non-orphans, and destitutes admitted to the Institute of Providoria and also to the present inmates.

4. Definitions.—In these rules, unless the context otherwise requires. —

(a) “Director” means the Director of Institute of Public Assistance (Providoria);

(b) “Institution” means the Institution or Centres maintained by the Providoria for looking after the Orphans, Non-orphans and destitutes;

(c) “Providoria” means Institute of Public Assistance (Providoria), formerly known as “Providoria da Assistencia Publica”, governed by the Legislative Diploma No. 1984 dated 14-4-1960;

(d) “Steward/Stewardess” means the person appointed by the Providoria for the management of the said Institution or Centre.

5. Eligibility for Admission.—The following categories of children are eligible for admission:—

(i) Orphans and abandoned children without parents having no near relation to look after them.

(ii) Children in single parent families such as where the husband has died or children have to be looked after by the mother due to long imprisonment of husband or vice-versa.

(iii) Children whose parents are unable to take care of them due to leprosy or due to other serious diseases.

(iv) A child having both parents but where the family atmosphere is not conducive to the proper development of the child due to divorce or desertion or drunkenness or extreme poverty of the parents.

6. Mode of application.—(1) Application for admission shall be submitted in the prescribed form to the Director. The requisite application forms shall be supplied to the applicant on request, free of charge.

(2) The application shall be supported by following certificates:—

(a) Poverty certificate from the Sarpanch of Village Panchayat or Mamlatdar of the concerned Taluka;

(b) A medical certificate issued by any Government Health Centre, Government Primary Health Centre, Government Hospital or any registered medical practitioner, stating that the child is physically and mentally healthy and does not suffer from contagious disease;

(c) Birth Certificate;

(d) School Leaving Certificate in case of children who were attending school;

(e) Certificate from Village Panchayat or Mamlatdar in the case of children mentioned at clauses (ii), (iii) and (iv) of rule 5 certifying the circumstances of the case.

7. Verification.—(i) The Director shall carry out detailed inquiries through the case workers of Providoria or through the Mamlatdars or B. D. O. of respective Taluka or through the Sarpanch of the Village Panchayat where the applicant resides, regarding financial and social condition of the applicant.

(ii) The application shall be examined by the Director, and if it complies with the requirements of the rules, order the child in the Institution for admission.

(iii) In the case of children other than Orphans, Director may make an order requiring the parent or the guardian of the child to contribute for his maintenance according to the financial position of the parent or guardian.

(iv) In the case of children other than Orphans, Director may make an order requiring the parent or guardian of the child to visit the child at regular intervals and to effect the payment of the boarding charges, before the date fixed by the Director. In case payment is not made for six months, the child shall be discharged from the Institution.

8. Rehabilitation and Discharge.—(1) The Children so admitted will be imparted education as per their aptitude.

(2) In case where the Child does not show adequate interest in studies, he/she shall be asked to have vocational training in any trade depending upon the aptitude of the child, for a period necessary for such training as may be decided by the Director.

(3) On expiry of the above stipulated period, of training or such other further extended period of training, the orphan children will be kept in any of the Institutions of the Providoria, in case of a boy, for a period of six months after he attains his majority and in case of a girl for a period of one year after she attains her majority.

(4) After the completion of the said training and after the attainment of majority, the Providoria shall make efforts to rehabilitate the boys and girls by finding suitable jobs for them as far as may be possible. In case the Providoria employs or engages

in any manner any of the boys or girls in any of its institution, the Provedoria shall pay them minimum wages as per the rules in force.

(5) However, the Provedoria will not be bound to keep and accommodate the orphan boys and girls after they attain the age of majority as mentioned in sub-rule (4) and the Provedoria will be free to discharge them from the Institution of Provedoria by giving them three months notice before the date of discharge.

Provided that the Provedoria may in deserving cases, accommodate the orphan boys and girls even after they have attained their age of majority and after they have secured employment in deserving cases, till they find suitable alternate accommodation elsewhere, but in any case the Provedoria will not be bound to accommodate them for a period longer than one year after they have been so rehabilitated.

(6) On securing employment and rehabilitation if any boy or girl is allowed to stay in the accommodation of Provedoria in any of its Institution as per sub-rule (6) the boy or girl will be required to pay to the Provedoria his/her lodging and boarding at the rate to be fixed from time to time by the Director during his/her stay till in the Institution.

(7) The Provedoria will have the right to discharge any boy or girl for their failure to pay the lodging and boarding charges, without any reasonable ground after they have secured their employment and in case they are allowed to stay in the Institution of Provedoria.

(8) Any boy or girl once discharged from the Institution of Provedoria shall not be admitted to any of the Institution of the Provedoria.

9. Health and Medical Facilities.—(1) All the Orphan boys and girls so admitted and accommodated in the Institution of Provedoria shall be looked after and taken care of by the Provedoria in regard to their health and other day to day needs.

(2) The Orphan boys and girls will be provided with all medical care including medicines and hospitalisation treatment free of charge by the Provedoria in case of their illness.

(3) All orphan boys and girls will be provided with normal meals twice a day and tea and breakfast.

(4) The Orphan boys and girls will also be provided with free clothing and study materials like books and note books and the tuition fees if any, will also be paid by the Provedoria as and when necessary.

10. Relaxation.—The Government shall have the powers to relax any of the conditions of these rules in any particular case or class of cases.

By order and in the name of the Administrator of Goa, Daman and Diu.

A. V. Pimenta, Under Secretary (PW&UD).

Panaji, 30th October, 1985.

Industries and Labour Department

Notification

2/30/83-ILD

In exercise of the powers conferred by sub-section (2) of section 21 read with section 51A of the Indian Electricity Act, 1910 (Central Act of 1910), the Lieutenant Governor of Goa, Daman and Diu hereby amends "The Conditions and Miscellaneous Charges for supply of Electrical Energy" as follows, namely:—

After sub-clause (c) of clause 2 of the Conditions and Miscellaneous Charges for supply of Electrical Energy, the following sub-clause shall be inserted, namely:—

"(d) All applicant(s) requisitioning for release of electric supply shall produce along-with his/their application/(s) a valid certificate from the Municipality/Panchayat to the effect that the construction in the Name of ... bearing No. ... situated at ... to which the electrical supply is to be released, is a legal construction, and there is no objection for releasing supply of electrical energy for lighting/Industrial purpose".

By order and in the name of the Lieutenant Governor of Goa, Daman & Diu.

D. N. Accowade, Under Secretary (Education).

Panaji, 28th October, 1985.

Notification

2/43/79-ILD-Vol. I

In pursuance of rule 45 of the Indian Electricity Rules, 1956, the Administrator of Goa, Daman and Diu hereby amends the rules and conditions for the grant of competency certificates to Electrical Supervisors, Wiremen's Certificates and Licences to Electrical Contractors for the Union territory of Goa, Daman and Diu (hereinafter referred to as the "principal Notification"), as follows, namely:—

In the principal Notification, for rule 2, the following rule shall be substituted, namely:—

"2. Constitution of the Licensing Board.—The Licensing Board shall consist of:—

- (a) The Chief Electrical Engineer, Government of Goa, Daman and Diu.
- (b) A Technical Nominee of the Director of Education, Panaji.
- (c) A Nominee of the Licensed Electrical Contractors Association, if any;
- (d) A Nominee of the Chief Inspector of Mines, Government of India.
- (e) A Nominee of the Electrical Inspector to Government.
- (f) Member Secretary.

The Chief Electrical Engineer, Government of Goa, Daman and Diu shall be the Ex-Officio President of the Licensing Board and the Member Secretary shall be an officer appointed by the Government. The Nominee of the Licensed Electrical Engineering Contractors' Association shall be a qualified person in Electrical Engineering with a minimum qualification of a Diploma or any other equivalent qualification."

By order and in the name of the Administrator of Goa, Daman and Diu.

D. N. Accawade, Under Secretary (Education).

Panaji, 1st November, 1985.

Law Department

Legal Affairs Branch

Notification

LD/8/3/85-L. A. B.

The Payment of Bonus (Amendment) Ordinance, 1985 (No. 6 of 1985) promulgated by the President of India and published in the Gazette of India, Extraordinary, Part-II Section 1 dated the 27th September, 1985 is hereby republished for the general information of the public.

B. S. Subbanna, Under Secretary (Drafting) to the Government of Goa, Daman and Diu.

Panaji, 25th October, 1985.

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 27th September, 1985/

Asvina 5, 1907 (Saka)

THE PAYMENT OF BONUS (AMENDMENT)
ORDINANCE, 1985

No. 6 of 1985

Promulgated by the President in the Thirty-sixth Year of the Republic of India.

An Ordinance further to amend the Payment of Bonus Act, 1965.

Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution and of all other powers enabling him in that behalf, the President is pleased to promulgate the following Ordinance:—

1. **Short title and commencement.**— (1) This Ordinance may be called the Payment of Bonus (Amendment) Ordinance, 1985.

(2) It shall come into force at once.

2. **Retrospective omission of section 12.**— The omission of section 12 of the Payment of Bonus Act, 1965 (hereinafter referred to as the principal Act) by section 2 of the Payment of Bonus (Amendment) Act, 1985 shall have effect and shall be deemed always to have had effect in respect of bonus payable to any employee under section 10 or section 11 of the principal Act for the accounting year commencing on any day in the year 1984 and every subsequent accounting year.

Explanation.— For the purposes of this section, the expressions "employee" and "accounting year" shall have the same meanings as in the principal Act.

ZAIL SINGH,
President.

R. V. S. PERI SASTRI,
Secy. to the Govt. of India.

Notification

LD/8/3/84(D)(Part),

The following Act which was passed by the Legislative Assembly of the Union territory of Goa, Daman and Diu on the 5th day of August, 1985 and assented to by the Administrator of Goa, Daman and Diu on 8th October, 1985, is hereby published for the general information of the public.

B. S. Subbanna, Under Secretary (Drafting).

Panaji, 29th October, 1985.

The Goa, Daman and Diu Barge (Taxation on Goods) Act, 1985
(Act No. 22 of 1985)

AN

ACT

to provide for levy of tax on goods carried in barges in inland waters of the Union territory of Goa, Daman and Diu.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-sixth Year of the Republic of India as follows:—

1. **Short title, extent and commencement.**— (1) This Act may be called the Goa, Daman and Diu Barge (Taxation on Goods) Act, 1985.

(2) It extends to the whole of the Union territory of Goa, Daman and Diu.

(3) It shall be deemed to have come into force from the 1st day of July, 1978.

2. **Definitions.**— In this Act, unless the context otherwise requires, —

(1) "barge" means every description of water craft mechanically propelled and which is used or capable of being used as a means of transport of goods;

(2) "Government" means the Government of Goa, Daman and Diu;

(3) "goods" include minerals and anything carried by a barge except living persons, but does not include personal luggage of crew travelling in the barge and the equipment ordinarily used with the barge;

(4) "month" means a calendar month;

(5) "prescribed" means prescribed by the rules made under this Act;

(6) "registered owner" means a person in whose name a barge is registered under any law for the time being in force;

(7) "tax" means the tax referred to in section 3;

(8) "Tax Officer" means such officer as the Government may, by notification in the Official Gazette, appoint to be the Tax Officer for the whole of the Union territory of Goa, Daman and Diu, or for any area or areas thereof for the purposes of this Act and the Government may appoint more than one officer as Tax Officer for the whole of the Union territory of Goa, Daman and Diu or for any area thereof.

3. Levy of tax on Goods.—On and from the date of commencement of this Act, there shall be levied and paid to the Government on the goods transported by barges through such inland waterways or canals as may be notified by the Government, a tax at the rate of twenty paise per tonne or part thereof of the goods:

Provided that no tax shall be payable under this Act on goods belonging to the Government or Central Government.

4. Submission of returns.—(1) In respect of every barge owned by him, the registered owner or his representative shall deliver or cause to be delivered to the Tax Officer or to such prescribed officer as the Tax Officer may specify, a monthly return in the prescribed form and manner.

(2) When any return is received by a prescribed officer, he shall forward it to the Tax Officer within the prescribed period and in the prescribed manner.

5. Tax to be paid every month into Government Treasury.—The tax payable during any month in accordance with the returns submitted under section 4 shall be paid into the Government treasury by the registered owner or his representative and the receipt evidencing such payment forwarded to the Tax Officer on or before such date or dates of the month immediately succeeding as may be prescribed.

6. Procedure where no returns are submitted, etc.—In the following cases, that is to say,—

(a) where no returns have been submitted by the registered owner or his representative in respect of any barge for any month or portion thereof; or

(b) where the returns submitted by the registered owner or his representative in respect of any barge for any month or portion thereof appear to the Tax Officer to be incorrect or incomplete, the Tax Officer shall, after giving the registered

owner a reasonable opportunity in case (a) of making his representation, if any, and in case (b) of establishing the correctness and completeness of the returns submitted by him or through his representative, determine the sum payable to the Government by the registered owner by way of tax during such month or portion thereof:

Provided that the sum so determined shall not exceed the maximum tax which would have been payable to the Government if the barge had carried its full complement of goods during such month or portion thereof.

7. Taxes escaping assessment.—If for any reason, the whole or any portion of the tax leviable under this Act for any month has escaped assessment, the Tax Officer may, at any time within three years from the expiry of that month, assess the tax which had escaped assessment, after issuing a notice to the registered owner and making such enquiry as the officer may consider necessary.

8. Penalty for non-payment of tax.—Where the whole or any portion of tax payable to the Government in respect of any barge for any month or portion thereof in pursuance of sections 5, 6 and 7 has not been paid in time, the Tax Officer may, levy in addition to the tax so payable, a penalty not exceeding fifty per cent of the maximum tax which would have been payable to the Government if the barge had carried its full complement of goods during such month or portion thereof.

9. Recovery of tax, etc.—(1) In the cases referred to in sections 6, 7 and 8, the Tax Officer shall serve on the registered owner a notice of demand in the manner prescribed, for the sums payable to the Government and the sums specified in such notice may be recovered from the registered owner as arrears of land revenue.

(2) Where the sums specified in the notice of demand are not paid within fifteen days from the date on which the notice was served on the registered owner, the barge in respect of which the tax is due and its accessories may be distrained and sold under the appropriate law relating to the recovery of arrears of land revenue, whether or not such barge is in the possession or control of the registered owner:

Provided that no distraint shall be made in pursuance of this sub-section except at the instance or with the consent of the Government or such officer as may be authorised by the Government in this behalf:

Provided further that no such distraint shall be made in pursuance of this sub-section unless the amount of tax due in respect of any barge exceeds five thousand rupees.

(3) Distraints under sub-section (2) may also be made by such officers or class of officers as the Government may, by general or special order, direct and the officer making any such distraint shall forward the proceedings thereof together with the distrained articles to the Collector for further action under sub-section (2).

10. Appeal against demand. — (1) Any registered owner objecting to a notice of demand served on him under section 9 may, within thirty days of the service thereof appeal to the prescribed authority:

Provided that no appeal shall be entertained unless it is accompanied by satisfactory proof of the payment of the tax admitted by the appellant to be due:

(2) The prescribed authority may, after giving the appellant an opportunity of being heard, pass such orders on the appeal as it thinks fit.

11. Maintenance of accounts and registers. — Every registered owner shall keep and maintain accounts and registers in such forms as may be prescribed in respect of barges and the goods transported therein.

12. Power to order production of accounts. — The authority prescribed under sub-section (1) of section 10, the Tax Officer or any officer empowered in this behalf by the Government may, by order, require any registered owner to produce such accounts, registers and documents, and to furnish such information relating to the barge or the goods transported as may be specified in the order.

13. Powers of entry and inspection. — (1) Any officer authorised by the Government in this behalf may at all reasonable times enter into, inspect and search any barge or any place ordinarily used by the registered owner for keeping such barge or keeping accounts of his business for the purposes of seeing or verifying whether the provisions of this Act or any rules made thereunder are being complied with.

(2) All searches made under sub-section (1) shall be made in accordance with the provisions of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

14. Composition of tax. — (1) The Tax Officer may on an application made by the registered owner or his representative and subject to such conditions as may be prescribed, permit him to compound the tax assessable on him under this Act, by paying in lieu thereof, as fees an amount equivalent to the tax leviable on ninety percent of the assessed quantity of goods to be transported by a barge.

(2) The permission granted under sub-section (1) shall be in force for the period for which it is granted and in respect of that period, the provisions of this Act regarding submission of returns, accounts or other documents, the assessment to tax or any other matter incidental thereto shall not apply in relation to the grantee.

15. Drawback, set off, refund, etc. — (1) The Tax Officer may, subject to such circumstances and conditions as may be prescribed, drawback, set off or refund the whole or any part of the tax levied and collected under this Act to the registered owner, regard being had to the nature of the goods carried, the destination to which, and the purposes for which the goods are carried and such other factors as may be specified.

(2) The Tax Officer shall refund to the registered owner, in such manner as may be prescribed, the amount of tax and penalty, if any, paid by such

registered owner in excess of the amount due from him. The refund may be either by cash payment or at the option of the registered owner, by deduction of such excess from the amount of tax and penalty, if any, due in respect of any other period:

Provided that, the Tax Officer shall first apply such excess towards the recovery of any amount due in respect of which a notice under section 9 has been served on the registered owner, and shall then refund the balance, if any.

16. Offences, penalties and competent Court. —

(1) Any person who —

(a) being a registered owner, submits or allows to be submitted an incorrect or incomplete return under section 4 or fails to submit a return as required under that section; or

(b) being a registered owner, fraudulently evades or allows to be evaded, the payment of any tax due from him; or

(c) being a registered owner, fraudulently makes or allows to be made any wrong entry in, or fraudulently omits or allows to be omitted any entry from any statement submitted, or any accounts or register maintained by him; or

(d) wilfully acts in contravention of any of the provisions of this Act or any rules made thereunder or any lawful orders passed in accordance therewith;

shall on conviction, be punishable with fine which may extend to five hundred rupees, and if the Magistrate so directs in his order, the person convicted shall pay in addition as if it were a fine, such specified amount as the Magistrate may determine to be the amount which the person convicted had evaded to pay.

(2) No offence punishable under this Act shall be inquired into or tried by any court inferior to that of Judicial Magistrate of the First Class.

17. Offences by companies. — (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to the company for the conduct of the business of the company, as well as the company shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer, as the case may be, shall be deemed to be guilty of that offence and shall also be liable to be proceeded against and punished accordingly.

Explanation. — For the purposes of this section,—

(a) "company" means a body corporate, and includes a firm or other association of individuals;

(b) "director" in relation to a firm, means a partner in the firm.

18. **Composition of offences.** — (1) The Tax Officer may, either before or after the institution of proceedings for any offence punishable under section 16, accept from any person charged with such offence by way of composition of the offence, where the offence charged consists of the evasion of the tax, a sum of money not exceeding double the amount of the tax so recoverable, and in other cases, a sum of money not exceeding two hundred and fifty rupees.

(2) On payment of such sum as may be determined by the Tax Officer under sub-section (1), no further proceedings shall be taken against the accused person in respect of the same offence.

19. **Officers to be public servants.** — All officers acting under this Act shall be deemed to be public servants, within the meaning of section 21 of the Indian Penal Code, 1860 (Central Act 45 of 1860) and the Prevention of Corruption Act, 1947 (Central Act 2 of 1947).

20. **Bar of certain proceedings.** — (1) No prosecution or other proceedings shall be instituted in a criminal Court without the previous sanction of the Government against any officer or servant of the Government, for any act done or purported to be done under this Act or the rules made thereunder.

(2) No officer or servant of the Government shall be liable in respect of any such act in any civil or criminal proceedings, if the act was done in good faith in the course of the execution of duties or the discharge of functions imposed by or under this Act.

21. **Limitation for suits and prosecutions.** — No suit or other proceedings shall be instituted against the Government and no suit, prosecution or other proceedings shall be instituted against any officer or servant of the Government in respect of any act done or purported to be done under this Act, unless the suit, prosecution or other proceedings is instituted within one year from the date of the act complained of.

22. **Power to make rules.** — (1) The Government may by notification in the Official Gazette and subject to the condition of previous publication make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for,—

(a) the prescribed officer to receive monthly returns and the period within which and the manner in which such officer shall forward the returns to the Tax Officer under section 4;

(b) the manner of serving notice of demand under section 9;

(c) the authority to which an appeal may be preferred under sub-section (1) of section 10;

(d) the maintenance of accounts and registers and the submission of returns and statements by the registered owners under section 11;

(e) the circumstances and conditions subject to which the Tax Officer can draw back, set off or refund the whole or part of the tax under section 15;

(f) any other matter which is required to be prescribed under this Act.

M. RAGHUCHANDER

Law Secretary to the Government of
Goa, Daman and Diu,

Secretariat,
Panaji-Goa,

Law Department (Legal Affairs
Branch).

Dated:- 29th October, 1985.

Establishment Branch

Office of the Chief Electoral Officer

Notification

3-4-79/ELEC-VOL. I

The following Notification No. 56/85-XVI dated 8th October, 1985 issued by the Election Commission of India, New Delhi is hereby published for general information.

M. Raghuchandar, Addl. Chief Electoral Officer.

Panaji, 29th October, 1985.

Election Commission of India

New Delhi, Dated 8th October, 1985
16 Asvina, 1907 (SAKA)

Notification

S.O. Whereas the Election Commission of India has considered the application of Nagaland People Party for registration of that association under paragraph 3 of the Election Symbols (Reservation and Allotment) Order, 1968, as a political party, and the documents produced in support of the prayer contained in the said application and has decided to register that association under the name and style of 'NAGALAND PEOPLE PARTY' as an un-recognised political party in respect of the State of Nagaland under the provisions of paragraph 3 of the said Symbols Order, subject to the following conditions:—

(i) The party shall communicate to the Commission without delay any change in its name, Head Office, Office bearers and their address, political principles, policies, aims and objectives and any change in any other material matters;

(ii) The party shall intimate the Commission immediately whenever any amendments are issued to party constitution alongwith the relevant documents like the notice for the meeting to consider

amendments, agenda for the meeting, minutes of the meeting where the amendments have been carried;

(iii) The party shall maintain all the records like minutes books, accounts books, membership registers, receipt books etc. properly;

(iv) The said records shall be open for inspection at any time by the authorised representative(s) of the Commission; and

(v) The registration granted shall be reviewed by the Commission from time to time.

Now, therefore, in pursuance of the provisions contained in clause (c) of sub-para (1) and sub-para (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Elec-

tion Commission of India hereby makes the following amendment to its Notification No. 56/84-I, dated the 13th November, 1984, as amended from time to time: -

In Table 3 appended to the said notification, under columns 1 and 2 after the entry "14-Pondicherry Maanila Makkal Munnani-Pondicherry", the entry "15.Nagaland People Party-Nagaland" shall be inserted.

[No. 56/85-XVI]

By order,

R. P. BHALLA

SECRETARY